

FILED

SEP 9 2015

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

Nos. 15-90079 and 15-90080

ORDER

THOMAS, Chief Judge:

Complainants, pro se litigants, allege that a district judge improperly dismissed a civil rights case. This allegation relates directly to the merits of the judge's rulings and must therefore be dismissed. See 28 U.S.C. § 352(b)(1)(A)(ii); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982); Judicial-Conduct Rule 11(c)(1)(B).

Complainants further allege that the judge was biased against them, however, adverse rulings alone cannot alone prove bias. See In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009). Because complainants offer no other evidence to support their claim, this charge is dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Finally, complainants suspect that court staff manipulated the case assignment process in order to choose this particular judge for complainants' case. Complainants present no evidence that the clerk departed in any manner from the

district's normal assignment process. In any event, misconduct proceedings cover only federal judges, not the clerk of court or other staff. See Judicial-Conduct Rule 4. This charge must therefore be dismissed.

DISMISSED.